

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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HENRY LEE, on behalf of himself :
and all others similarly situated, :
 :
 :
Plaintiff, : 16-cv-01104-LTS
 :
 :
v. :
 :
 :
BUTH-NA-BODHAIGE, INC., :
d/b/a THE BODY SHOP, and DOES 1-10, :
 :
Defendant. :
-----X

**NOTICE OF UNOPPOSED MOTION FOR (1) CONDITIONAL CLASS
CERTIFICATION; (2) APPOINTMENT OF CLASS REPRESENTATIVE; (3)
APPOINTMENT OF CLASS COUNSEL; (4) PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND NOTICE TO CLASS; AND (5) SETTING OF FINAL
APPROVAL HEARING**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Robert L. Lash, dated January 24, 2017, with exhibits thereto ("Lash Decl."), the supporting memorandum of law, and all papers and proceedings herin, Plaintiff will move this court, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 12D, New York, New York, before the Honorable Laura Taylor Swain, United States District Judge, at a deate and time to be set by the Court, for an Order pursuant to Federal Rule of Civil Procvedure 23:

(1) granting preliminary approval of the Class Action Settlement Agreement, attached as Exhibit 1 to the Lash Decl.;

(2) conditionally certifying, for settlement purposes only, the proposed Class;

(3) appointing Plaintiff, Henry Lee, as Class Representative;

(4) appointing Plaintiff's Counsel, Bryant Lamer, Esq. and Joshua Dickinson, Esq. of Spencer Fane LLP and Robert L. Lash, Esq. of Hur & Lash, LLP, as Class Counsel;

(5) directing that notice of the settlement be given to the Class in the form and manner as proposed in the Settlement Agreement;

(6) approving the proposed procedure for final settlement approval; and

(7) granting such other and further relief as the Court deems just and proper.

In accordance with Rule 2(b)(ii) of the Court's Individual Practice Rules, the undersigned certifies that they have conferred with counsel for Defendant Buth-Na-Bodhaige, Inc. d/b/a The Body Shop, who has stated that Defendant does not oppose this motion. Plaintiff submits a proposed Order, attached as Exhibit 1(D) to the Lash Declaration, for the Court's convenience.

DATED: New York, New York
January 24, 2017

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By: /s/ Robert L. Lash

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TO: ALL PARTIES AND THEIR COUNSEL OF RECORD